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I hereby certify that this correspondence and any attachments are, on the date below, being:

- ☐ deposited with the United States Postal Service with sufficient postage as first class mail addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.
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Date: October 29, 2001

Signature

Cindy Malocha

Typed/Printed Name of Person Making Certification

3 pages

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): YI SUN
Application No.: 09/509,779
Filed: MAR/CH 29, 2000
Title: SAG: SENSITIVE TO APOPTOSIS GENE

Examiner: J. Hunt
Art Unit: 1642

Commissioner for Patents
Washington, D.C. 20231

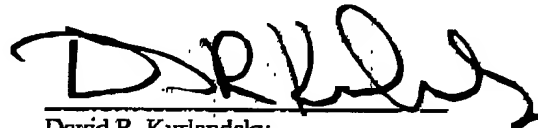
Transmittal of a Response to a Restriction Requirement

Commissioner for Patents:

Transmitted herewith is a response relating to the above-identified patent application.

No fee is required.

Respectfully submitted,



David R. Kurlandsky
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Attachment

☒ Response

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OCT 29 2001

GROUP 1600

Date

PD-5650-01-DRK

#12
10-30-01

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT : YI SUN

EXAMINER : J. HUNT

SERIAL NO : 09/509,779

ART UNIT : 1642

FILED : MARCH 29, 2000

PAPER NO : 12

FOR : SAG: SENSITIVE TO APOPTOSIS GENE

RESPONSE

October 29, 2001

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GROUP 1600

Commissioner for Patents
Washington, D.C. 20531

Dear Sir:

This is in response to the Office Action dated September 28, 2001.

Restriction to one of the following inventions was required under 35 U.S.C. §§121 and 372:

Group I, Claims 1-17, and 25-26, or 32 drawn to a SAG polynucleotide, corresponding vectors, and host cells, and a method of using such to detect SAG mutations.

Group II, Claims 18-22, and 33-34, drawn to a polypeptide.

Group III, Claim 23, drawn to an antibody which binds SAG.

Group IV, Claim 24, drawn to a method of detecting SAG protein.

Group V, Claims 27-28, drawn to a method of isolating RNA using SAG.

Group VI, Claim 29, drawn to a method of isolating genes induced during apoptosis.

Group VII, Claim 30, drawn to a method for protecting cells from apoptosis.

Group VIII, Claim 31, drawn to a method of inhibiting growth of tumor cells.

Group IX, Claim 35, drawn to a method of oxygen radical scavenging.

Group X, Claim 36, drawn to a method of promoting wound healing.

Group XI, Claim 37, drawn to a method of promoting or inhibiting plant growth.

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09/509,779

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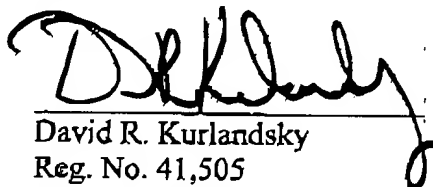
PD-5650-01-DRK

Applicant provisionally elects Group I, Claims 1-17, and 25-26, or 32, for prosecution purposes, without traverse. Applicant hereby conditionally withdraws Claims 18-24, 27-31, and 33-37 from prosecution.

Additionally, for the purposes of prosecution in selecting Group I, Applicant was further required to elect a species of polynucleotide encoding a SAG mutant. Applicant hereby provisionally elects SEQ ID NO: 3 for prosecution purposes. Claims 1-17, 25-26, and 32 are readable on the elected species. Applicant acknowledges that upon the allowance of a generic claim, Applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR §1.141.

The application is now in condition for allowance, which allowance is respectfully solicited.

Respectfully submitted,



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